

REMARKS

In order to narrow the issues in this case, and to more clearly focus on the patentable novelty of the present invention, claims 1-13 (and 15) have been canceled (without prejudice or disclaimer) and claim 14 has been carefully amended.

Additionally, new claims 16 and 17 have been inserted to more fully protect the applicant's unique contribution to the art.

In the Official Action of February 14, 2002, claim 14 was rejected, first, under S 102(b) as being clearly anticipated by *Sberveglieri* 5,943,932 and, second, under S 103(a) as being obvious over *Wiater* 3,841,188 in view of *Sberveglieri* 5,720,213.

Prior to a consideration of amended claim 14 and new claims 16 and 17, a review of the cited art in order:

The *Sberveglieri* '213 patent is assigned to Black & Decker. It discloses a conventional table saw (or arbor saw) having a circular blade 44 extending above a slot 16 in the saw table 14. The motor 60 is mounted on spaced-apart rods 32, 34 and the motor may be manually drawn (along with the blade within the slot in the saw table) by means of a rod 52 connected thereto, the rod having a knob 56. The rod 52 is within an arcuate slot 54 for right-hand or left-hand bevel cuts, as desired, and a suitable bevel adjustment mechanism is provided.

Please note that the axis of the motor is parallel to the axis of blade rotation; that the motor drives the blade through a belt drive; and that the support rods straddle the arcuate slot, being disposed above and below the arcuate slot within which the bar and hence the motor may be

titled for bevel cuts.

The whole purpose of this '213 patent is to automatically adjust the depth of cut of the saw blade when bevel cuts are to be made in the workpiece. The manual pulling of the motor within the frame of the machine is ancillary to the main purpose of the patent, and the adjustment mechanism for bevel and/or miter cuts is conventional and/or tailored to fit the objective of the patent.

Moreover, *Sberveglieri* 5,943,932 has the same disclosure as his earlier '213 patent (being a continuation thereof).

In the *Wiater* '188 patent, the motor 26 drives the circular saw blade through a belt 28. The axis of the motor is parallel to the axis of blade rotation; the motor carriage is slidable along rods 32; and the whole motor carriage may be adjusted for desired bevel cuts. A handle 27 is connected to the motor, and the handle is provided with a trigger switch 31. Miter cuts are provided by suitable fences on the saw table (see FIG. 1) and, in a sense, this machine is nothing more than an "under the table" version of a radial arm saw machine.

Basically, both of these machines are large stationary pieces of equipment intended for heavy-duty workshop use and are not a small, lightweight portable compact tool intended for relatively light-duty use by a hobbyist doing picture frames, moldings and the like.

In the basic disclosure of our invention (see FIGS. 11-14) our motor 44 is vertically oriented and drives the blade 48 directly. This motor 44 is slidably mounted on stationary guide rods 38 (preferably three but at least two) substantially or at near the bottom or lower portion of

the motor carriage. Manual movement of the motor carriage is facilitated by a rod (or bar) 46 guided within the arcuate slot 42 for desired bevel cuts. Please note that the bar 46 is connected to the motor 44 *centrally* thereof (at or near the center of gravity of the motor) and that the bar 46 is disposed *above* the stationary guide rods 38 and in a plane intermediately thereof. The bar 46 is not offset laterally of a saw carriage, as in the cited prior art. Therefore, only a minimal manual effort is required to move the motor, yet achieve a precision cut. In a preferred embodiment, the blade resembles a router bit and, in effect, our invention basically converts a hobbyist tool (like a DREMEL tool) for use in a precision, compact relatively-low cost miter box. Our invention is not intended as, nor competitive with, a heavy-duty table saw.

While a small circular saw blade could be used in our invention (see FIGS. 16-19), the resemblance with the cited prior art references simply ends right there; and even with a small circular saw blade, the bar 46 (within the arcuate slot) is above the stationary guide rods; the bar is centrally positioned with respect to the motor; and the motor (albeit tiltable for bevel and intermediately thereof cuts) is basically vertically oriented.

Additionally, please see Figs. 12 and 17 (enlarged in scale and attached hereto as "Exhibit A", wherein the bar 46 attached to the motor 44 is in a plane which is substantially intermediately of the stationary guide rods 38.

With this in mind, claim 14 has been carefully amended and now recites, inter alia - - -

- **"a movable rod connected to the motor for movement in unison, the movable rod being disposed above the pair of stationary guide rods,"**

The cited art simply does not have (nor render obvious) this *very important feature of the applicant's invention*.

Accordingly, it is respectfully submitted that amended claim 14 is clearly allowable, and the same is respectfully urged.

New claim 16 is directed to a "precision electric miter box" and recites, inter alia - - -

- **"a pair of stationary parallel guide rods,"**
- **"a motor oriented in a substantially vertical disposition,"**
- **"a motor having a lower portion slidably mounted on the stationary parallel guide rods,"**
- **"a movable bar connected to the motor, substantially centrally thereof, for movement in unison," (and)**
- **"the movable bar being disposed above the stationary parallel guide rods".**

It is respectfully submitted that the combination of structural elements called for in new claim 16 is not anticipated, suggested, taught nor rendered obvious by the cited art.

Accordingly, as allowance thereof is respectfully solicited.

Finally, new claim 17 is dependent on claim 16 and further states that - - -

- **"... the movable rod is disposed in a plane intermediately of the parallel planes for the stationary guide rods".**

Accordingly, an allowance of dependent claim 17 is respectfully urged.

It appears that all matters have been addressed satisfactorily, and that the case is now in condition for a complete allowance; and the same is respectfully urged.

However, if the Examiner has any comments or questions, or has any suggestions as per MPEP 707.07 (d) and (j), for putting the case in condition for final allowance, he is respectfully

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urged to contact the undersigned attorney-of-record at the telephone number below, so that an expeditious resolution may be effected and the case passed to issue promptly.

Respectfully submitted,

5. 1. 03
Date

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